



1632 9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Walter Callen et al.                      Art Unit : 1632  
Serial No. : 10/034,849                                  Examiner : Unknown  
Filed : December 21, 2001  
Title : ENZYMES HAVING HIGH TEMPERATURE POLYMERASE ACTIVITY AND  
METHODS OF USE THEREOF

Commissioner for Patents  
Washington, D.C. 20231

REQUEST TO CORRECT INVENTORSHIP UNDER 37 CFR §1.48(a)

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JAN 30 2003  
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The undersigned attorney requests correction of the inventorship of the instant application under 37 CFR §1.48(a). An inventor was inadvertently omitted from the originally filed declaration. The correct inventors are WALTER CALLEN, ERIC J. MATHUR and JAY M. SHORT.

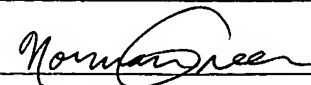
Submitted with this Request to Correct Inventorship are:

- A statement by the inventor being added stating that the error in inventorship occurred without deceptive intent;
- An oath or declaration by the actual inventors as required by 37 CFR §1.63;
- A written consent to the correction by the Assignee;
- Copy of the Assignment executed by the newly added inventor; and
- A check in the amount of \$130.00 for the processing fee.

If any additional fees are required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 06-1050. Please credit any overpayment to the above-noted Deposit Account.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202.

January 23, 2003  
Date of Deposit  
Signature 

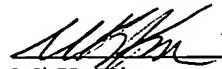
Norman Green  
Typed or Printed Name of Person Signing Certificate

Applicant : Walter Callen et al.  
Serial No. : 10/034,849  
Filed : December 21, 2001  
Page : 2

Attorney's Docket No.: 09010-027006

The Examiner is invited to contact the undersigned attorney if there are any questions related to this matter.

Date: 1/23/2003

  
Mi K. Kim  
44,830

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Attorney's Docket No.: 09010-027006

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STATEMENT OF ASSIGNEE AGREEING TO CHANGE OF INVENTORSHIP

The undersigned declares and states that she is an officer of Diversa Corporation and is empowered to sign this document on behalf of the company.

As an officer of Diversa Corporation, to which the noted application has been assigned, the undersigned consents to the correction of inventorship of the above-identified application from the naming of Walter Callen and Eric J. Mathur to WALTER CALLEN, ERIC J. MATHUR, and JAY M. SHORT.

Diversa Corporation is an assignee of the application by virtue of an assignment signed by the original named inventors recorded on March 30, 2001, at reel, frame number 01165/0659. The newly added inventor has also assigned his interests to Diversa Corporation, a copy of which is included. The undersigned has reviewed all the documents in the chain of title of the above-identified application, and, to the best of her belief and knowledge, title is in the named assignee.

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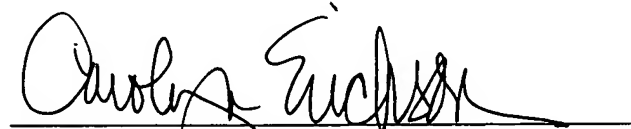
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Attorney's Docket No.: 09010-027006

The undersigned declares and states that all statements made herein are believed to be true; and further, that these statements are made with the knowledge that willfull false statements, and the like so made, are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent.

Respectfully submitted,

Date: 11/7/02

  
CAROLYN ERICKSON  
Vice President, Intellectual Property

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2/13/03

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PETITION TO CORRECT INVENTORSHIP  
INVENTOR'S DECLARATION

JAY M. SHORT hereby declares:

1. That he is an original named inventor of the noted patent application.
2. That through error, without any deceptive intention on his part or that of any actual inventor, the above-captioned application was filed naming Walter Callen and Eric J. Mathur, rather than WALTER CALLEN, ERIC J. MATHUR and JAY M. SHORT. This error was discovered after the application was filed.
3. That all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

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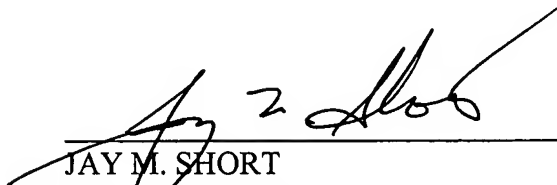
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Attorney's Docket No.; 09010-027006

Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 11/5/02

  
\_\_\_\_\_  
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Rancho Santa Fe, CA 92067-7214  
Title: CEO

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